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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 2783 OF 2005

Satish Kondiba Sanas .. Petitioner

Vs.

The State of Maharashtra .. Respondent

Ms. P.H. Kantharia, APP for Respondent-State.

**CORAM : B. H. MARLAPALLE &
SMT. R.S. DALVI, JJ.**

Date : February 13, 2006.

P.C.:

1. Heard Mrs. Kantharia, the learned APP. We have also perused the statements recorded by the Police Station at Koregaon. The record does show that the witnesses who appeared before the Sessions Court are residents of village Asare and they have expressed apprehensions that the petitioner on being released on furlough/parole may act with hostility and resort to some actions in retaliation. The victim was not a resident of village Asare and had come as a guest to the house of Sadashiv Pandurang Sanas. If the petitioner applies afresh, his application could be considered by imposing a condition that during the period of leave to be granted by the competent authority, he shall not enter village Asare as well as

the village of the victim.

2. We, therefore, direct that in case the petitioner submits a fresh application within a period of four weeks from today, the same may be considered by imposing appropriate conditions on the lines stated hereinabove and disposed off within four weeks from the receipt of the application.

3. Petition is disposed off in terms of the above order. A copy of the order be communicated to the petitioner in the Jail concerned.

(Smt.R.S. Dalvi, J.)

(B.H. Marlapalle, J.)